

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 5, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Linda Steinman

Others Present: Robin Hendricksen, Deputy County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 29, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Steinman moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated May 29, 2001. Campbell, Hudkins and Heier voted aye. Workman and Steinman abstained. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 20 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Heier moved and Hudkins seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Capitol City Christian Church
First United Methodist Church**

MOTION: Steinman moved and Heier seconded approval of a motor vehicle tax exemption for First United Methodist Church and approval of a motor vehicle tax exemption for Capitol City Christian Church subject the vehicle(s) being titled and registered to the applicant. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT**

MOTION: Heier moved and Steinman seconded adjournment of the Board of Equalization meeting. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

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Commissioners Present: Kathy Campbell, Chair
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Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 29, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated May 29, 2001. Campbell, Hudkins and Heier voted aye. Workman and Steinman abstained. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 5, 2001.

MOTION: Workman moved and Steinman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Father Stander was recognized for 17 years of service with Lancaster Manor.

B. A request from County Attorney, Gary Lacey, and the Personnel Director, pursuant to Personnel Rule 17.9(b), to move County Attorney employee, Nicole Ringler, from pay grade E16, Step 3 to E16, Step 7, due to exceptional circumstances. (M-01-73)

MOTION: Hudkins moved and Steinman seconded approval to move County Attorney employee, Nicole Ringler, from pay grade E16, Step 3 to E16, Step 7, due to exceptional circumstances. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

C. An exceptional circumstance award, in the amount of \$500, for Richard Thomas, as "Employee of the Year" for 2000 for the Corrections Department. (M-01-71)

MOTION: Steinman moved and Heier seconded approval of an exceptional circumstance award, in the amount of \$500, for Richard Thomas, an employee in the Corrections Department. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

D. A resolution proclaiming the week of June 3 through June 9, 2001 as Management Week - Terry Storer, President of Leadership Link. (R-01-42)

Terry Storer, an employee with the City Attorney's Office and past president of Leadership Link, appeared and thanked the Board for their support over the years. She stated the annual meeting was held earlier in the day at the Governor's Mansion where the annual "Manager of the Year" was announced. Storer stated the nominees were Dee Lee with the Election Commissioner's Office, Georgia Glass with Personnel, Danny Wright with Lincoln Fire and Rescue and Vince Mejer with Purchasing. "Manager of the Year" was awarded to Dee Lee.

Storer also submitted a copy of the annual report for 2000-2001 (Exhibit 1).

Bill Kostner, President of Leadership Link, announced newly elected officers.

4) **NEW BUSINESS:**

MOTION: Steinman moved and Workman seconded approval of Resolution 01-42. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

A. A rental agreement with 8th & M Parking to rent four parking spaces located at 801 "N" Street in Lincoln, Nebraska. The County will pay \$42 per space beginning June 1, 2001 and ending May 31, 2002. The spaces are for the Office of Juvenile Mental Health. (C-01-253)

MOTION: Heier moved and Steinman seconded approval. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

B. An agreement with E & A Consulting Group, Inc. for preliminary survey and plan preparation for reconstruction of North 176th Street from Greenwood Road to Davey Road and Branched Oak Road from one-half mile west of North 176th Street to North 176th Street; Project C55-A-404(1). The work will be completed by July 13, 2001. The County will pay \$6,500 for the services. (C-01-264)

MOTION: Workman moved and Steinman seconded approval. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

C. An agreement with Erickson & Sederstrom, P.C. to provide a legal opinion on a claim from a County official regarding reimbursement of legal fees. The County will pay \$160 per hour for the services of William F. Austin, Esq. (C-01-265)

MOTION: Steinman moved and Heier seconded approval.

Campbell explained because another elected official is involved in the claim, the County Attorney's Office cannot advise either the elected official or the County Board, which makes it necessary to seek outside counsel.

ROLL CALL: Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

D. An addendum to an agreement with Marsh U.S.A. Inc. for consulting services. The addendum sets the annual service fee at \$8,616, beginning June 1, 2001 and ending May 31, 2002. (C-01-252)

MOTION: Steinman moved and Heier seconded approval.

Campbell noted the annual service fee is the same as last year.

ROLL CALL: Steinman, Hudkins, Heier, Workman and Campbell voted aye.
Motion carried.

E. Amendment Number 2 to a Network Provider Agreement (C-01-41) with Region V pertaining to the level of reimbursement as provided in Appendix A. Amendment Number 1 (C-01-40) was entered into on the same date as the original agreement (February 20, 2001). (C-01-254)

MOTION: Steinman moved and Hudkins seconded approval. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

F. A resolution setting the boundaries of the Ridgewood Road Improvement District in Lancaster County, Nebraska and the date of August 7, 2001 for a special election. (R-01-43)

MOTION: Steinman moved and Heier seconded approval of Resolution 01-43.

Steinman asked if a majority vote was needed to begin the process.

Heier indicated that it takes ten percent of the property owners within the subdivision to begin the process of establishing a paving district.

ROLL CALL: Hudkins, Workman, Heier, Campbell and Steinman voted aye.
Motion carried.

4) **NEW BUSINESS CONTINUED:**

G. Recommendation from the Purchasing Agent and the County Engineer to award a bid for corrugated culvert pipe to Contech Construction Products, Inc., in the amount of \$22,150.04. (B-01-27)

MOTION: Hudkins moved and Heier seconded approval. Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

H. Allowance Modification Numbers 020 through 024 for the following in connection with the new Lancaster County Juvenile Detention Center located at 1200 Radcliff Street: (M-01-74)

- ▶ **Allowance Modification 020** eliminates 18" and 21" RCP below the building floor slab and replaces it with pairs of 12" and 15" cast iron storm piping. (See Cheever's Response to Request for Pricing Number 04). This will increase the Contingency/Discovery Allowance \$6,570.
- ▶ **Allowance Modification 021** provides for a position switch on bedroom doors in the Staff Secure area. (See Cheever's Response to Request for Pricing Number 023r). This will increase the Contingency/Discovery Allowance \$5,355.
- ▶ **Allowance Modification 022** modifies the exit vestibules. It also deletes millwork and constructs closets of masonry with a pair of hollow metal doors and frame in three locations. (See Cheever's response to Request for Pricing Number 36). This will increase the Contingency/Discovery Allowance \$4,927.
- ▶ **Allowance Modification 023** deletes concrete stain from precast concrete exterior wall panels. (See Cheever's Response to Request for Pricing Number 37). This will decrease the Contingency/Discovery Allowance \$7,350.
- ▶ **Allowance Modification 024** provides 80 additional mogul keys cut to the owners requirements. (See Cheever's Response to Request for Pricing Number 41). This will increase the Contingency/Discovery Allowance \$1,441.

A total of \$10,943 will be drawn from the Contingency Allowance leaving a balance of \$8,718.

MOTION: Steinman moved and Workman seconded approval. Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- I. A political subdivision tort claim filed against Lancaster County by Chris Johnson for damaged property, in the amount of \$994.46.**

MOTION: Steinman moved and Heier seconded to accept the recommendation from the Sheriff's Office and deny the political subdivision tort claim filed against the County by Chris Johnson. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- J. A request from C. David Bruce, on behalf of PowerPick International, Inc., for a refund of personal property taxes for 2000, in the approximate amount of \$450.26. (M-01-67)**

MOTION: Heier moved and Steinman seconded approval of the request for refund of personal property taxes for 2000 from C. David Bruce, in the approximate amount of \$450.26. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

- 1. County Clerk's Monthly Report for May, 2001.**

B. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ **Troy E. and Michelle L. Rivers, in the amount of \$66.70, at approximately Northwest 98th Street and West Waverly Road; Project C.P. E-333. (C-01-255)**
- ▶ **Ivan J. and Doneta J. King at approximately Northwest 98th Street and West Waverly Road; Project C.P.E-333. This is a donation. (C-01-256)**
- ▶ **Kevin D. and Billie J. Kollars at approximately Northwest 98th Street and West Waverly Road; Project C.P. E-63. This is a donation. (C-01-257)**
- ▶ **Bool Family LTD Partnership, in the amount of \$66.25, at approximately Northwest 40th Street and Bluff Road; Project C.P. F-5. (C-01-258)**

5) **CONSENT ITEMS CONTINUED:**

- ▶ Earl Bool, in the amount of \$66.25, at approximately Northwest 40th Street and Bluff Road; Project C.P. F-260. (C-01-259)
- ▶ Terrence E. and Jaclyn Vaverka, in the total amount of \$21,442.86, on West Denton Road; Project C55-N-404(1). (3 contracts) (C-01-266 through C-01-268)

C. Leasehold contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ John Spader, in the amount of \$10, at approximately North 134th Street and Little Salt Road; Project C.P. A-217. (C-01-260)
- ▶ William and Michael Bundy, in the amount of \$10, at approximately North 134th Street and Little Salt Road; Project C.P. A-217. (C-01-262)
- ▶ John Sullivan, in the amount of \$10, at approximately Northwest 98th Street and West Denton Road; Project C55-N-404(1). (C-01-261)

MOTION: Heier moved and Steinman seconded approval of the Consent Items. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

6) **OTHER BUSINESS:**

Joe Ferri, 5457 West Brixton Drive, appeared and inquired about New Business Item 4C (agreement with Erickson & Sederstrom). He questioned why the County was seeking an opinion from an outside law firm when the County Attorney's Office employs 27 attorneys, 8 law clerks and 9 paralegals.

Campbell explained the County Attorney's Office would have a legal conflict of interest because he cannot represent the other elected official and he cannot represent the County Board, making it necessary to hire outside counsel.

7) **EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LABOR NEGOTIATIONS** - Diane Staab, Deputy County Attorney and Georgia Glass, Personnel Director

MOTION: At 2:15 p.m. Steinman moved and Heier seconded to enter into Executive Session for the purpose of discussing labor negotiations. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

7) **EXECUTIVE SESSION CONTINUED:**

MOTION: At 2:39 p.m. Heier moved and Workman seconded to exit Executive Session. Hudkins, Workman, Heier and Campbell voted aye. Steinman was absent from voting. Motion carried.

8) **ADJOURNMENT**

MOTION: Hudkins moved and Heier seconded adjournment of the Board of Commissioners meeting. Workman, Campbell, Hudkins and Heier voted aye. Steinman was absent from voting. Motion carried.

Bruce Medcalf
County Clerk